

September 13, 2007



Captain William J. Diehl
United States Coast Guard
Commander - Coast Guard Sector Houston-Galveston
U.S. Department of Homeland Security
9640 Clinton Dr.
Houston, TX 77029

Re: Agrifos Cotton Patch Bayou

Dear Captain Diehl:

ExxonMobil is in receipt of the Notice of Federal Interest for a Hazardous Substance Release issued by Chief Tilimon of the US Coast Guard (USCG) on September 11, 2007 and your letter of the same date addressed to ExxonMobil and Agrifos Fertilizer, Inc. As we have indicated previously to members of the USCG and the US EPA who are part of the Agrifos Incident Command (IC), ExxonMobil neither owns nor operates any phosphogypsum facilities at the Agrifos Fertilizer, Inc. facility. Mobil (now ExxonMobil Oil Corporation) sold the Pasadena fertilizer facility to Agrifos in 1998 and retained, under the asset purchase and sale contract, certain environmental responsibilities, including responsibility for closure of the existing gypsum stacks.

ExxonMobil respectfully disagrees with the USCG to the extent that the Coast Guard seeks to characterize ExxonMobil as a Responsible Party at this site. During a telephone call with USCG and EPA representatives yesterday afternoon, we were asked if ExxonMobil has any reversionary interest in the property at the Agrifos facility. The answer is no. As we explained to the IC, the contractual responsibilities that ExxonMobil has at the site are limited, and do not involve a reversion of an ownership interest in any real property, gypsum or process water at the site. As the facility owner/operator, we believe that Agrifos has the responsibility and liability associated with the management of the active gypstacks and water balance at the site throughout the active life of the facility. Complete ownership and operation of the Agrifos operating facility rests with Agrifos.

We are writing to reiterate that ExxonMobil has agreed to provide, on a voluntary basis, the USCG and the IC with certain technical support in dealing with this incident at the Agrifos facility. For the past several days, ExxonMobil representatives have participated in relevant planning meetings involving the IC. In addition, ExxonMobil has made available other resources including Clean Channel Association (CCA), a local emergency response cooperative. As advised during the telephone call yesterday, if CCA were invited by the IC to participate in the process, they would do so and request ExxonMobil participate as well as a member of the CCA to offer options and to provide technical assistance. As we understand,

assistance and resources offered yesterday by CCA have apparently not been engaged by the IC to date. ExxonMobil's voluntary participation in these activities should be viewed as cooperation and should not be viewed as an acceptance by ExxonMobil of any legal liability for any releases from the Agrifos facility. None of ExxonMobil's actions should be viewed as a waiver of any rights or defenses with respect to any potential assessment of liability for any releases from the Agrifos facility.

Yesterday ExxonMobil had subsequent conversations with representatives from the EPA Region 6 and Department of Justice to discuss the issue of the use of the ExxonMobil deep injection well. We will continue to pursue this option to offer another water disposal alternative.

ExxonMobil and CCA will continue to be available to assist the IC with technical assistance and support.

Sincerely,

A handwritten signature in blue ink, appearing to read "F E Hand Jr", written over a light blue rectangular background.

F. E. "Buddy" Hand, Jr.

Cc: Tim Cotton, Agrifos